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SIMMONS BEDDING COMPANY  
and Defendant and Counterclaimant DREAMWELL, LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ZINUS, INC. a California Corporation,  
Plaintiff,

v.

SIMMONS BEDDING COMPANY, a  
Delaware corporation, and DREAMWELL,  
LTD., a limited liability company of  
Nevada,

Defendants.

Case No. 07-CV-03012-PVT

**[PROPOSED]  
ORDER VACATING MARCH 11, 2008  
ORDER GRANTING PLAINTIFF'S MOTION  
FOR SUMMARY ADJUDICATION**

**Before:** The Honorable Patricia V. Trumbull  
**Location:** Courtroom 5

AND RELATED COUNTERCLAIMS

Having considered the Joint Motion for Administrative Relief to Vacate Order Granting Plaintiff's Motion for Summary Adjudication filed by plaintiff and counterclaim defendant Zinus, Inc., defendant Simmons Bedding Company, and defendant and counterclaimant Dreamwell, Ltd., and good cause appearing:

1 IT IS HEREBY ORDERED that the parties' Joint Motion is granted. The March 11, 2008  
2 Order Granting Plaintiff Zinus, Inc.'s Motion for Reconsideration; and Granting Plaintiff's  
3 Motion for Summary Adjudication is hereby vacated.

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6 Dated: April \_\_\_, 2008.

7 \_\_\_\_\_  
8 The Honorable Patricia V. Trumbull  
9 United States Magistrate Judge  
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